

JAMES CITY COUNTY POLICE DEPARTMENT REVIEW

Executive Summary of
Review and Findings Prepared by the
Virginia Association of Chiefs of Police

October 2022

*An Independent
Review and
Recommendations for
the James City County
Police Department and
County Manager*

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BACKGROUND

The Virginia Association of Chiefs of Police engaged Chief (Ret.) Kenny Miller, Alpha Training and Consulting, to conduct an inquiry and review of the James City County Police Department for the Office of the County Manager. Sixteen police department employees were interviewed between Thursday October 6, 2022, and Friday October 21, 2022. The interviews lasted between 20 and 60 minutes and were conducted both in person and by phone. Additional interviews were conducted over Zoom.

The consulting services were guided by the following conditions of the Memorandum of Agreement between the Virginia Association of Chiefs of Police and James City County:

1. Provide a qualified law enforcement professional to serve as researcher and consultant.
2. Conduct confidential surveys and interviews with the Police Department personnel to assess agency culture and morale.
3. Provide consulting services to the Chief of Police on best practices in assessing and promoting positive police culture and department morale.
4. Holding confidential certain information provided by the Department and maintaining regular communication with the Chief of Police and County Administrator or his designee during the review.

This report is based solely on the interview content; no other information was analyzed in preparation of this report. Upon completion of this report, all recordings and notes from individual interviews were destroyed.

INTERVIEW RESULTS

Each person interviewed was asked to discuss their concerns (if any) as well as any positive feedback they could share about the James City Police Department. Each person was advised about the role of the consultant, and they were assured that their statements only would be shared anonymously. All but three individuals brought up pay and the Police Chief as major reasons for the failures in the police department. They spoke about how the promotional process was not consistent. They stated that they did not trust the promotional process. The officers also expressed anger over not having an "Officer of the Year" award ceremony since no one was selected. Many described the workplace as toxic and said they were seeking employment elsewhere. Some said they were happy to retire as soon as they can, and many spoke of poor internal communications. Others complained that the take home car policy was not fair because the boundaries are too restrictive for most employees who can't afford to live in the county. They spoke about how they felt secure with the mid-level leadership; however, there was no trust in the executive staff. Several stated that the agency had become progressively worse in the past 18 months.

The tenured officers spoke about the leadership and the differences between the current and former chiefs. Most described the current chief as "not personable." They said that the chief will go out of his way to avoid speaking with them and he only spoke with the new Assistant Chief and the Lieutenant in charge of investigations. Many of those interviewed spoke of racial tension caused by the Chief or, in a few cases, those tensions were levied against the Chief. They spoke of low morale, pay compression, staffing shortages, no plan for improvement, internal stress, poor equipment (FTO collar device, ball caps, taser), and lack of internal movement as major concerns. These concerns were brought to the attention of the current Chief and the county board. They fault the current Chief and the Assistant Chiefs. They were very comfortable with the former Chief.

An issue they brought up concerning pay was the new off duty contract with Busch Gardens. They advised that typically the county deducts \$5.00 an hour from their off-duty job. However, because Busch Gardens pays more than other off duty employers, the county takes more money from the officers. The officers fault the County for this disparate treatment in off duty pay and consider the practice unfair.

All persons interviewed were asked for recommendations that would improve the police department. Many asked that the entire command staff be replaced. There is an overall lack of respect and trust, which are critical building blocks in any organization. The lack of trust and respect is directed at the executive staff.

Members of the executive staff that were interviewed were somewhat understanding of the allegations made by the officers and mid-level supervisors. A member advised that the executive staff pay increase was not something that was needed. Another member interviewed spoke of how they could have addressed the "Officer of the Year" better and that something as simple as allowing them to place "FTO" on the shirt collar was not a bad idea. Another said they had no idea how to fix the executive staff. Then he advised that they (the executive staff) need to be better listeners.

In an interview with Police Chief Eric Peterson, he expressed his concerns with the agency. The chief described the agency employees as covering more than 100 plus square miles and serving more than 75,000 residents. He mentioned that the county has a relatively low crime rate (one homicide this year that was cleared), the agency offered take home vehicles, offered off duty employment opportunities, and a modern police station, among other positives.

To get the sworn staff a pay raise, the chief said he negotiated a new salary increase for staff working off duty at Busch Gardens and offered pay incentives to staff for working patrol overtime in James City County. He alluded to the fact that he has been doing his best and was seeking to continue serving. The discontentment was caused within the last year or so, when the agency experienced staffing shortages and a lack of public respect, social media harassment towards executive staff and pay problems. The

chief advised that he was short fifteen officers. As a result, he was forced to move officers from specialized positions to cover patrol and this caused problems. The chief advised that on a few occasions, when officers were moved or advised that they would be moved to patrol, a few decided to seek employment elsewhere.

The chief was asked about the promotional process and promotional criteria. He advised that it was based on several factors, formal education being one of them. He said that only two people internally applied - Lieutenant Campbell and Lieutenant Myers. Lieutenant Myers, a black female, was selected, and she presently is attending the FBI National Academy. He also advised that she was well educated and well qualified. When asked about Lieutenant Campbell, the Chief explained that they were friends, but he believed that Lieutenant Campbell was the leader encouraging the social media attacks on him. The Chief said that there is racial tension in the department. The Chief was encouraged to engage Lieutenant Campbell's talents, bring him on board and find a place of balance and develop him. He seemed to take this under advisement.

Phone conversations were held with Assistant County Manager Bradley Rinehimer to provide updates on the status of the fact finding. He was made aware of what was learned from those persons interviewed. A key finding shared with Mr. Rinehimer is the officers' apparent lack of trust with current executive staff and how the officers are concerned about the future of the department. They were exhausted with all the reports and feedback, yet to them nothing was being done.

RECOMMENDATIONS

Leadership breakdowns can happen for a variety of reasons. Based on feedback from the persons interviewed in the James City County Police Department, these are the challenges that could be or should be corrected.

1. The department needs a transparent promotional policy that all employees can understand. This would eliminate the perception of bias and that the Chief only selects those he likes and not necessarily the most qualified.
2. The department needs a leadership development process. The apparently arbitrary decision to appoint the Investigative Lieutenant (the Chief's friend) as Acting Assistant Chief only worsened the lack of trust for the Police Chief.
3. The chief's failure to speak with the officers and lack of engagement is a big part of the reason for a lack of trust. It is apparent that any attempt by the chief to try to win back trust now - if the effort cannot be sustained - will only create a worse situation.
4. The chief's failure to recognize, select and celebrate an "Officer of the Year" was a great disappointment for the lower rank employees.

5. The chief has failed to recognize the lack harmony and how toxic the agency has become over the past 18 months.

CONCLUSION

The James City County Police Department has long had a reputation as a professional, well-run department where the officers were proud and happy to work. The staff has explained that they were offered ride-a longs by the command staff, apparently intended to create bonding opportunities between the command staff and the rank and file. Candidly, this will not solve the challenges faced by the agency. All indications are that the department needs a new, more positive culture. Based on feedback by officers across the ranks, that cultural change cannot and will not happen under the current leadership.

Respectfully submitted,

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Simple Ways to Improve Employee Morale

by Baili Bigham

Employee morale doesn't simply translate into how happy your people are; it's a direct reflection of how healthy your company culture is, how well you and other leaders are communicating with teams, and how effective your managers are.

High morale only occurs when employees feel taken care of by their company. And because this year has been filled with stressful distractions, ensuring your people are getting the support they need to bring their best selves to work each day is more important than ever.

Here are six ways you can contribute to a thriving culture and continually boost employee morale all year long.

1. Encourage ongoing one-on-ones

One of the most powerful ways to improve employee morale is through frequent communication. In 15Five's recent Workplace Report, we found that 82% of employees with at least weekly one-on-ones say they're getting the support they need during the pandemic from their managers, compared to 66% of those with less frequent one-on-ones. But regularly keeping up with your teams and ensuring managers are doing the same with their direct reports can feel impossible without the right tools and day-to-day practices.

Giving your people leaders a structure for having better one-on-ones will help them make the most of every meeting. They'll spend less time catching up and more time at the heart of the conversation, which can lead to higher levels of trust, engagement, and productivity.

2020 Workplace Report

2. Give employees the tools to ask for feedback

Traditionally, the process of feedback has been led by managers as a means to help employees course correct and grow. But in reality, the best way to increase the free flow of feedback is by supporting people to seek it themselves.

"Asking for feedback is a surprisingly powerful approach to self-development, especially when it's part of basic performance management. It can even be considered a deliverable—the last step of a project. Regardless, requested feedback allows teams to demonstrate the care that everyone needs to feel engaged," according to Gallup.

Helping people ask for feedback in moments when they need it most allows them to take the reigns of their development so that they can master new skills and correct certain behaviors in a fraction of the time. And nothing motivates people more than witnessing their own progress.

3. Train your managers to become better coaches

Teaching your managers to seek out the unique talents of their employees will foster an environment that builds on those attributes, which also helps businesses remain agile during challenging times.

Managers can put this approach to practice by helping employees create job descriptions that align their passions with the company's why. This naturally increases employee morale, engagement, and productivity.

Effective managers don't just push for high performance, they value helping people discover their natural talents and seek out opportunities to utilize those strengths. Not only does this tap into a deeper, more intrinsic type of motivation for employees, but it also allows managers to increase the capability of their teams.

4. Help your people develop—both personally and professionally

Setting your employees up for success in their role starts with giving them all the tools and resources they need to do their job well. This includes professional training. You can practice this from an employee's first day and beyond by creating a knowledge base of critical information and best practices for new hires as you grow your team.

For remote employees, they may not get the same opportunities to ask one-off questions at your desk, so creating a thorough training plan is especially important for getting them ramped up.

But remember, your employees don't just exist in a professional capacity to serve your organization. For them to evolve both personally and professionally, employee development must be holistic. Help people lead more fulfilling lives by encouraging them to develop better soft skills, such as empathy, emotional intelligence, and communication. This will also prepare them for future leadership roles.

5. Show employees how much you appreciate them

Studies show that high performing teams are far more supportive and complimentary than low performing ones. And when leaders recognize the strengths and contributions of their people, they're far more engaged, productive, and creative.

What makes appreciation so powerful is that when it's shared, it becomes contagious. By sending a quick thank you note or simply noticing someone's hard work you can help boost employee morale almost instantly. Plus, regular recognition can alleviate some of the day-to-day tension that employees may be experiencing today.

6. Don't forget to have fun

There are times to be serious and there are times when it just makes more sense to relax, laugh, and connect with your team.

Find ways to bring more of your true self to work and look for ways to get to know your teams on a more personal level. When you bring more of your authentic self to the office, you become more relatable and approachable. And when you let your teams know that you're a human being, not just a leader, you also communicate that you see them as more than just employees.

2020 Workplace Report

When your employees feel supported and encouraged to do their best work, they can do so with confidence. Take these tips and take the right course of action to keep employee morale high—all year long.

Improving Officer Morale and Job Performance with a Head-to-Toe Wellness Program

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"We were shocked by how great the increase in morale was, and how much the citizen's view of our officers improved... plus the nearly 60% decrease in days lost to injuries," says Jim Porter, Chief of the Bend (Oregon) Police Department (<https://www.bendoregon.gov/government/departments/police>) (BPD), describing the results of his department's expanded wellness program.

Like law enforcement leaders throughout the country, Porter recognized the toll that police work took on his people—a fact brought painfully home when one of his men died of an undiagnosed heart problem—and developed a program to improve their quality of life.

Fatigue, Disease, and Suicide Are the Biggest Threats

Numerous studies indicate that the most common threats to officer safety don't come from gunfire, but from poor physical and mental health, which can lead to outcomes ranging from vehicle accidents and deadly errors in use of force situations to coronary disease and even suicide.

In response, sheriffs and police chiefs throughout the United States have adopted a variety of practices to reduce the incidence of fatigue, stress, and depression while helping officers improve their overall health and fitness. To highlight some of their success stories, the COPS Office has published Law Enforcement Mental Health and Wellness Programs: Eleven Case Studies (<https://cops.usdoj.gov/RIC/ric.php?page=detail&id=COPS-P371>). Among the agencies studied in this publication, the BPD stands out for the comprehensiveness of its wellness program.

A Truly Comprehensive Approach to Overall Health

Begun in the early 2000s with an hour of weekly physical fitness training made available to patrol officers while on duty, the BPD's program has since expanded into a holistic officer resilience program aimed at supporting wellness in mind as well as body for all sworn and non-sworn employees and their spouses.

Today, the program, which is entirely voluntary, also includes team activities, a progressive mental health program, stress reduction classes, emotional support programs for officers, and an on-site psychologist for referrals and informal consultation.

Measured by the staff's overall high level of wellness, morale, and job performance, as well as the BPD's enhanced ability to retain officers and attract recruits, the program has been very effective. It's also popular: 75 percent of BPD officers participate in at least one wellness program on a regular basis.



Adjusting Shifts to Make Needed Time

To participate in such programs, officers need the time. Chief Porter solved this problem by readjusting patrol shifts, which now consist of three teams covering three shifts, working 11.25-hour days with four days off each week.

The new schedule provides enough shift overlap to allow officers on duty to participate in wellness programs without causing gaps in coverage. There is always a full complement of officers on patrol while members of another unit are engaging in fitness activities.

Patrol teams also rotate shifts every two months, which is less disruptive to the natural sleep cycle than the previous schedule, reduces fatigue, and allows every officer to have access to the wellness programs. This change addressed the top issues reported by officers in the anonymous survey, which were fatigue, difficulties in trying to stay fit, and lack of time with family. To reduce sleep deprivation, the BPD also installed facilities for restorative rest while on duty.

Supporting Health in Body, Mind, and Family

The department's physical fitness programs allow entire patrol teams to participate in group activities such as biking or running while on duty two working days each week. There is also a gym on site for individual workouts.

For mental fitness, the BPD offers voluntary mindfulness sessions. Available on a daily basis, they are hosted by sergeants and facilitated with an app that provides guidance for group or individual meditation. As one participant remarked, officers can feel as if they never have the time to shut off. This helps them find peace and relieve stress after even the toughest of days.

Based on positive feedback, the department has expanded the program by collaborating with another police department to share training tailored to the needs of law enforcement. And because Chief Porter believes that "a healthy family is vital to a healthy cop," BPD offers a similar program to spouses.

A happy home life is also of critical importance to mental health, and the BPD has a program to help spouses, who often feel isolated and anxious about their officers' wellbeing and don't fully understand the stress of law enforcement work.

In addition to events such as family picnics and dinners, and activities that include an Emergency Vehicle Operations Course and shooting range training, they provide stress management programs and arrange volunteer meal trains and childcare for department families after critical incidents.

Comfort in Tough Times and Yoga for Aching Muscles



Another key component of the wellness program is its psychological support. The BPD developed a team of peer support officers who have been trained to offer help to colleagues suffering from traumatic professional and personal situations, such as officer-involved shootings and divorce. The department also has a staff psychologist who is available for informal conversation or referrals.

Despite initial skepticism, many officers are also now enrolled in BPD's yoga classes, which they say are very helpful, not only for relieving stress, but for relieving chronic pain, especially in their lower backs and shoulders.

Flexibility measurements taken by instructors showed that participants have also increased flexibility in their spines, quadriceps, and hamstrings. Participants reported improvements in their sleep and levels of stress and anxiety, as well.

Evidence of Benefits to Officers, Department, and Community

And since the yoga program begun in 2015, there has been a significant decrease in on-the-job injuries. This finding is reflected in data from Oregon's State Accident Insurance Fund, which indicate that the department's claims and lost workdays have gone from 213 down to 92, and the cost to the agency from \$107,000 to \$65,000.

Officer job satisfaction has shown a remarkable improvement as well. As indicated on internal surveys taken from 2014 to 2018, it has gone from 53 percent to 80 percent, with four times as many officers in 2018 saying they would recommend the BPD as a place to work.

This has paid off in recruiting, too: of new hires asked to rank the importance of BPD benefits, 93 percent rated the proactive support of employees and family as very important factors in their decision to join the BPD, and 80 percent ranked the wellness program as very important too.

Just as importantly, relations with the community appear to be positively impacted too. Though there has been a significant increase in 911 calls since 2015, there has been a 40 percent decrease in use of force. Officer involvement in community activities has also increased, a development which Porter attributes to stress relief programs and shift schedules that allow time for rest and participation in outreach activities.

Officers Must Be Well to Serve the Community Well

An officer who is tense, angry, or sleep-deprived is not likely to engage with the community, be alert on the job, or function at a high level. Says Porter, "If they took officers off the road for 15 to 20 hours a week in order to focus on wellness, there wouldn't be an actual loss of hours but rather more productive and effective officers during their hours on the street."

And as the BPD's story demonstrates, there are practical ways to improve physical and mental health. New programs take time to develop, implement, and gain acceptance, but where there's a will, there's a way—and the need is urgent.

Tips from the BPD for Program Replication

According to BPD Police Chief Jim Porter, many aspects of his department's program can be replicated in whole or in part by other agencies, regardless of size or resources. Every department has unique needs and challenges, but Porter believes that some practices make success more likely and offers these tips:

- Start small, taking one idea and building on it. Get
- support from the top.
- Increase buy in from line officers by getting lieutenants, captains, and sergeants to facilitate and participate in programs. Emphasize that
- participation in all programs is voluntary.
- Make programs available while on duty.
- Engage the families of officers to boost participation and support wellness at home.
- Incorporate mechanisms for collecting evidence of success, such as health exams, surveys, or instructor reports. Choose
- instructors who understand the demands and culture of law enforcement.

- Collaborate with academic, government, and local partners for guidance and additional resources.

Greater detail about the BPD's and other agencies' programs can be found in *Law Enforcement Mental Health and Wellness Programs: Eleven Case Studies* (<https://cops.usdoj.gov/RIC/ric.php?page=detail&id=COPS-P371>).

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